

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Smith et al.
 Docket No.: 180.00020102
 Serial No.: Unknown (Divisional of 09/070,504)
 Title: PEPTIDE ANTAGONISTS OF CGRP-RECEPTOR SUPERFAMILY AND METHODS OF USE

Assistant Commissioner for Patents
 ATTN: Box PATENT APPLICATION
 Washington, D.C. 20231

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- ☒ (Divisional) Utility Patent Application: Specification (46 pgs); Claims (53 claims on 9 pgs); 1 pg Abstract.
- ☐ Application Data Sheet: ___ pgs.
- ☒ 6 Sheets of formal drawings.
- ☐ A signed Declaration and Power of Attorney.
- ☒ A return postcard.
- ☐ An Assignment of the invention to ___ and Recordation Form Cover Sheet.
- ☐ A check in the amount of \$40.00 to cover the Assignment Recording Fee.
- ☐ A certified copy of a ___ application, Serial No. __, filed ____, the right of priority of which is claimed under 35 U.S.C. §119.
- ☒ Computer readable form of "Sequence Listing" (one diskette). Applicants state that the paper copy form of the "Sequence Listing" section of the present application, and the computer readable form submitted herewith, are the same.
- ☒ Request for Filing a Divisional Patent Application Under Rule 1.53(b) (3 pgs.)
- ☒ Copy of Declaration and Power of Attorney from parent application (3 pages);
- ☒ Preliminary Amendment with attached Appendix A (7 pgs.);
- ☒ Information Disclosure Statement (2 pages), copy of 1 copending application; and Form 1449 (5 pages);
- ☒ A check in the amount of \$ 454 to cover the filing fee, which is calculated below:
- ☒ **Small Entity Status is entitled to be asserted in the above-identified application.**

APPLICATION FILING FEE

| | Number of Pending Claims (1) | Claims Included in Basic Filing Fee (2) | Number of Extra Claims (1-2) | Cost per Extra Claim | Fee Required |
|---|------------------------------|---|------------------------------|----------------------|--------------|
| Total Claims | 31 | 20 | 11 | x \$9 = | 99 |
| Independent Claims | 3 | 3 | 0 | x \$40 = | 0 |
| One or More Multiple Dependent Claims Presented? If Yes, Enter \$135 Here → | | | | | |
| Enter Basic Filing Fee (Utility Patent-\$355) Here → | | | | | 355 |
| Total Application Filing Fee | | | | | 454 |

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.
 Customer Number: 26813

By: Ann M. Mueting
 Name: Ann M. Mueting
 Reg. No.: 33,977
 Direct Dial: 612-305-1217
 Facsimile: 612-305-1228

CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EL776900604US

Date of Deposit: March 20, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Attn: Box PATENT APPLICATION, Washington, D.C. 20231.

By: Louise M. Guggenberger
 Name: Louise M. Guggenberger
 (SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Docket Number | Anticipated Classification | | Prior Application | |
|---------------|----------------------------|----------|-------------------|----------|
| | Class | Subclass | Examiner | Art Unit |
| 180.0002 0102 | | | A. Davenport | 1653 |

**REQUEST FOR FILING A DIVISIONAL PATENT APPLICATION
UNDER RULE 1.53(b)**

Assistant Commissioner for Patents
Attn: Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

This is a request for filing a divisional application under 37 CFR §1.53(b) of Serial No. 09/070,504, filed on April 30, 1998, entitled PEPTIDE ANTAGONISTS OF CGRP-RECEPTOR SUPERFAMILY AND METHODS OF USE by the following inventors (name, address, and citizenship):

Name Derek David Smith
Citizenship: Great Britain
Address: 2311 North 50th Avenue
 Omaha, Nebraska 68104

Name Shankar Saha
Citizenship: Bangladesh
Address: 5428 Longwood Drive
 Indianapolis, Indiana 46254

Name Peter W. Abel
Citizenship: United States of America
Address: 5603 South 170th Street
 Omaha, Nebraska 68135

1. — Enclosed is a copy of the specification (including claims, abstract, and drawings) as filed in the prior application.
2. X Enclosed is a new specification (including claims and abstract). The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference.
3. X Enclosed is a copy of the Declaration and Power of Attorney filed in the prior application.

Filed: **March 20, 2001**Title: **PEPTIDE ANTAGONISTS OF CGRP-RECEPTOR SUPERFAMILY AND METHODS OF USE**

4. ☐ Enclosed is a newly executed Declaration and Power of Attorney.
5. ☒ Enclosed are formal drawings (6 sheets).
- ✓ 6. ☒ Cancel in this application claims 1-20, 27 and 28 before calculating the filing fee. (At least one independent claim must be retained for filing purposes.)
7. ☒ A Preliminary Amendment is enclosed.
8. ☒ The filing fee is calculated below:

| CLAIMS AS FILED | | | |
|------------------------------------|--------------|-------------|--------------------------|
| NUMBER FILED | NUMBER EXTRA | RATE | BASIC FEE \$710/\$355 |
| Total Claims 31-20 = | 11 | \$18/\$9 | \$99 |
| Independent Claims 3 -3 = | 0 | \$80/\$40 | \$0 |
| MULTIPLE DEPENDENT CLAIM PRESENTED | | \$270/\$135 | \$0 |
| FILING FEE: | | | \$454 |

9. ☒ A check in the amount of \$ 454 is attached.
10. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-4895.
11. ☐ This application is being filed by less than all of the inventors named in the prior application. Please delete the names of the following inventor(s) who are not inventors of the invention claimed in the present application:
- ✓ 12. ☒ Amend the specification by inserting as the first sentence on page 1, the following: -- This is a divisional application of Serial No. 09/070,504, filed April 30, 1998, (pending), which is incorporated herein by reference.--
13. ☐ Priority of foreign application Serial No. , filed on in (country) is claimed under 35 U.S.C. §119.

Request for Filing a Divisional Application Under Rule §1.53(b)

Filed: March 20, 2001

Title: PEPTIDE ANTAGONISTS OF CGRP-RECEPTOR SUPERFAMILY AND METHODS OF USE

14. X The prior application is assigned of record to Creighton University.

15. X The Power of Attorney in the prior application is to:

Ann M. Muetting
Muetting, Raasch & Gebhardt, P.A.
P.O. Box 581415
Minneapolis, MN 55458-1415
Customer Number 26813

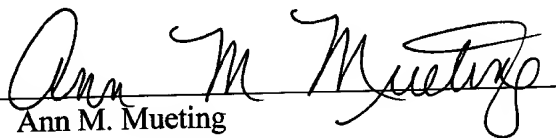
16. X Small Entity Status is entitled to be asserted in the above-identified application.

Address all future communications to:

MUETING, RAASCH & GEBHARDT, P.A.
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Minneapolis, Minnesota 55458-1415
Customer Number 26813

Attn: Ann M. Muetting
(Telephone: 612-305-1220)
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Date: March 20, 2001


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Date of Deposit March 20, 2001

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Name: Louise M. Guggisberg